

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL No. 1456
LITIGATION	)	
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THIS DOCUMENT RELATES TO:	)	CIVIL ACTION: 01-CV-12257-PBS
	)	
ALL ACTIONS	)	Judge Patti B. Saris
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**CORRECTED PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL**

Plaintiffs, by their attorneys, respectfully move this Court for leave to file under seal the following pleadings and other materials: (1) Plaintiffs' Reply Memorandum in Support of Motion to Certify Claims With Respect to Track 2 Defendants; (2) Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants; (3) Declaration of Jennifer Fountain Connolly in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants; (4) Declaration of Donald E. Haviland, Jr., Esquire in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants; (5) Declaration of Raymond S. Hartman in Response to Track II Defendants' Expert Dr. Dyckman; (6) Declaration of Raymond S. Hartman in Response to Track II Defendants' Expert Mr. Young; and (7) Declaration of Meredith Rosenthal in Response to Track II Defendants' Expert Dr. Dyckman.

The foregoing items include or reference copies of documents and/or excerpts from documents that certain defendants have identified as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL" pursuant to the terms of the December 13, 2004 Protective Order. Also, the foregoing items reference information contained in documents designated by certain defendants as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." In addition, the foregoing items not only quote extensively from and/or attach documents that certain defendants have designated as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL," but also they include references to pricing data that defendants likely believe to be highly proprietary in nature.

Paragraph 14 of the Protective Order mandates that any document or pleading containing material such as that referenced above be filed under seal. Plaintiffs hereby seek to comply with the terms of the Protective Order.

WHEREFORE, Plaintiffs respectfully request that this Court grant them leave to file the foregoing listed materials under seal.

DATED: July 20, 2006

By /s/ Steve W. Berman

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**CO-LEAD COUNSEL FOR  
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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **CORRECTED PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on July 20, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By /s/ Steve W. Berman  
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